

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	04 C 7087	DATE	11/15/2004
CASE TITLE	Andre Ferguson vs. Cook County Jail, et al		

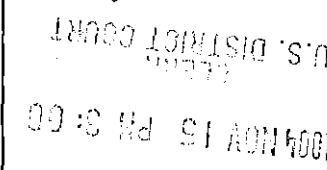

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____.
(3)	<input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____.
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____.
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____.
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____.
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> Local Rule 41.1 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry] Enter Memorandum Order. Ferguson is granted until November 29, 2004 to cause to be filed in this Court's chambers the required printout or printouts referred to in paragraph 1, failing which this Court will be constrained to dismiss the complaint and this action without prejudice. It is also expected that Ferguson will address the questions raised in paragraph 2.
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/>	No notices required, advised in open court.	<i>mailed to trust fund office 11/15</i> <i>SN.</i> 	number of notices	
<input type="checkbox"/>	No notices required.		NOV 16 2004 date docketed	
<input checked="" type="checkbox"/>	Notices mailed by judge's staff.		6-1- docketing deputy initials	
<input type="checkbox"/>	Notified counsel by telephone.		11/15/2004 date mailed notice	
<input type="checkbox"/>	Docketing to mail notices.		SN	
<input type="checkbox"/>	Mail AO 450 form.		mailing deputy initials	
<input type="checkbox"/>	Copy to judge/magistrate judge.			
SN courtroom deputy's initials		Date/time received in central Clerk's Office		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ANDRE FERGUSON)
)
Plaintiff,)
)
v.) No. 04 C 7087
)
COOK COUNTY JAIL, et al.,)
)
Defendants.)

DOCKETED
NOV 16 2004

MEMORANDUM ORDER

This action, sought to be advanced by Andre Ferguson ("Ferguson") under 42 U.S.C. § 1983 ("Section 1983"), has been transferred to this District Court from the United States District Court for the Southern District of Illinois (Ferguson is a prisoner currently confined at Menard Correctional Center "Menard"), so he must have assumed mistakenly that he should file his lawsuit there). But two threshold matters must be addressed before it may be determined whether this action may go forward:

1. Although Ferguson has attached a motion and affidavit by which he seeks to proceed in forma pauperis, he has not provided the required certified statement or statements reflecting all the transactions in his inmate trust account at Menard or any other correctional institution where he has been confined during the six month period that began April 22 and ended October 21, 2004 (when he signed his Complaint). And under 28 U.S.C. § 1915(a)(2), such a printout from

the institution or institutions showing such transactions must be furnished before this Court can address Ferguson's in forma pauperis request.

2. Cook County Jail, the first-named defendant in the Complaint, is not a suable legal entity, so it must be ignored as a possible party if the lawsuit goes forward. Ferguson's other named defendant is "Michael Sheffran" - does he mean Sheriff Michael Sheahan or someone else?

Ferguson is granted until November 29, 2004 to cause to be filed in this Court's chambers the required printout or printouts referred to in paragraph 1, failing which this Court will be constrained to dismiss the Complaint and this action without prejudice. It is also expected that Ferguson will address the questions raised in paragraph 2.



Milton I. Shadur
Senior United States District Judge

Date: November 15, 2004